

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re THE GATEWAY DEVELOPMENT GROUP, INC., Debtor.	Chapter 7 Case No. 21-22304-shl
JAMES CARNICELLI, JR. and HOWARD P. MAGALIFF, Chapter 7 Trustee of The Gateway Development Group, Inc., Plaintiffs,	Adv. Proc. No. 21-7093-shl <u>DECLARATION OF AVERY SAMET IN OPPOSITION TO PLAINTIFFS' MOTION TO REMAND OR ABSTAIN</u>
v. JOHN J. FARERI, JULIE FARERI and CHRISTOPHER SHESKIER, Defendants.	Re: Dkt. 48
JOHN J. FARERI, Counterclaim Plaintiff, v. JAMES CARNICELLI, JR., Counterclaim Defendant.	

AVERY SAMET hereby declares:

1. I am a member of Amini LLC, counsel for Defendants and Counterclaim Plaintiff, and submit this declaration in opposition to Plaintiffs' motion to remand or abstain under 28 U.S.C. § 1334(c) and 1452(b).

2. Annexed hereto as exhibits are true copies of the following documents:

Exhibit #	Document Description
1	July 7, 2021 Hearing Transcript in Debtor's case
2	James Carnicelli Proof of Claim
3	James Carnicelli Initial Disclosures

Exhibit #	Document Description
4	May 9, 2022 Email from Trustee's Counsel to Defendants' Counsel with Attachment (Proposed Scheduling Order)
5	July 18, 2022 Email from Carnicelli's Counsel to Chambers with Attachment (Proposed Scheduling Order)
6	Examiner Subpoena
7	Objection to Examiner Subpoena
8	Notice of Removal, Annexing Summons and Complaint in 2022 District of Connecticut Action
9	Notice of Voluntary Dismissal of 2022 District of Connecticut Action

I hereby declare under penalty of perjury that the foregoing is true and correct. Executed on September 30, 2022.

/s/ Avery Samet
Avery Samet